

DISABILITY INSURANCE PROGRAM
FREQUENTLY ASKED QUESTIONS (FAQ)

Section 3.0: Long-Term Disability (LTD)

Disclaimer—

If there is any conflict in interpretation between the FAQs and the Short-Term Disability (STD) and Long-Term Disability (LTD) program contract provisions and existing law, the contract provisions and/or law govern.

Q 3.1 What is Long-Term Disability and how is it defined in the policy?

A 3.1 By definition, the Long-Term Disability program provides eligible enrolled employees with partial income replacement for a long period of time should the employee become disabled due to a covered accident, sickness or pregnancy. In the LTD program provided by the State of Delaware and administered by The Hartford, benefits begin on the 183rd calendar day and continue for 24 months or until you are able to perform the essential duties of your occupation. After 24 months, LTD benefit payments can continue if you are unable to perform the essential duties of any occupation.

Q 3.2 When can I apply for LTD benefit payments?

A 3.2 When you are approaching the end of the first 182 calendar days of STD benefit payments, the Hartford will have you submit a short application for LTD benefits. (See Answer 2.7 for definition of earnings)

Q 3.3 What is the LTD benefit payment?

A 3.3 The LTD benefit payment will be 60% of pre-disability base earnings plus hazardous duty pay, if applicable, paid to you on a monthly basis.

Q 3.4 What is the minimum LTD benefit payment?

A 3.4 The minimum monthly benefit will be the greater of \$100 or 10% of the benefit based on monthly income loss before the deduction of other income benefits.

Q 3.5 What is the maximum monthly LTD benefit payment?

A 3.5 The maximum monthly payment will be \$8,000.

Q 3.6 Can the LTD benefit payment be supplemented with available paid leave?

A 3.6 No.

Q 3.7 What is the maximum duration that LTD benefits are payable?

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- | A 3.7 | Age when disabled | Benefit duration |
|--------------|--------------------------|-------------------------|
| | Prior to age 60 | To age 65 |
| | 60 | 60 months |
| | 61 | 48 months |
| | 62 | 42 months |
| | 63 | 36 months |
| | 64 | 30 months |
| | 65 | 24 months |
| | 66 | 21 months |
| | 67 | 18 months |
| | 68 | 15 months |
| | 69+ | 12 months |
- Q 3.8 What deductions are taken from the monthly LTD benefit payment?**
- A 3.8** In addition to requested tax deductions, your monthly health care premium amounts will be automatically deducted from your monthly LTD benefit payments.
- Q 3.9 Who is responsible for preparing and submitting a pension application if I am disabled and transitioning from STD to LTD?**
- A 3.9** Your human resources office will submit a vested pension application at the time of transition from STD to LTD if such transition occurs.
- Q 3.10 If I am approved for LTD by The Hartford, am I required to apply for Social Security disability?**
- A 3.10** Yes, you are required to apply for the Social Security Income disability benefit (SSI) benefit. If denied you are required to follow and exhaust the Social Security appeals process.
- Q 3.11 What happens if The Hartford finds a job after 24 months that is outside of state government and doesn't offer health insurance? Will the employee be forced to take it?**
- A 3.11** After 24 months of LTD, the employee will be expected to accept employment that meets at least one of the essential duties of the training, education, and experience they have acquired and a position that is not less than 60% of pre-disability base salary. Pre-disability base salary does not include the cost of fringe benefits such as health insurance.
- Q 3.12 At the end of 2 years on LTD, a person is found employable but not**

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able to return to the former job because of physical limitations. No job is available within State government for this person, so The Hartford finds employment outside of State of Delaware employment. What options does the person have in this situation?

A 3.12 The person can waive the LTD benefit and/or opt to begin collecting a service pension benefit, if eligible, with applicable accompanying fringe benefits such as health insurance.

Q 3.13 **What if the new employer's insurance coverage is not as good as the State?**

A 3.13 There are no provisions for this scenario at this time.

Q 3.14 **What happens if the employee refuses the new assignment?**

A 3.14 If the employee refuses the new assignment which has been obtained from working with The Hartford and the Return to Work Coordinator housed with the Statewide Benefits Office, the LTD benefit will cease.

Q 3.15 **Once the employee goes on LTD, will the employer's responsibility end for the employee?**

A 3.15 Yes, the employer's responsibility has ended other than to cooperate with return-to-work efforts put forth by The Hartford.

Q 3.16 **If an employee goes out under LTD, then converts to a service pension, will the employee be required to pay state share of health care costs?**

A 3.16 Once someone converts to a service pension, the State share of health insurance would be based on the years of service and date of hire. Remember that during the time the employee is out on STD and LTD they are also accruing pension credit.

Q 3.17 **What happens to the employees' accrued sick time after he/she goes on LTD?**

A 3.17 The employee is paid for that time just as if he/she retired; up to the amount allowed under either Merit Rules or, for non-merit employees, the employer's policy. The accrued sick leave in excess of amount paid by employer can be used to purchase additional pension service credit at the rate of 21 days for each additional month of pension credit not to exceed 12 months. The employer will complete a PCC-1 (Pension Creditable Compensation Form) and send that to the Pension Office

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along with the vested pension application at the time of transfer from STD to LTD.

Q 3.18 **Once an employee begins receiving LTD, will he/she be eligible to withdraw the pension contributions since he/she is no longer a State of Delaware employee?**

A 3.18 The Pension benefit and the Disability Insurance are separate benefits. The STD benefit is paid through PHRST and is pension creditable compensation and as such will be subject to pension contributions. At the point that an employee begins receiving LTD benefits paid by The Hartford, he/she can terminate their membership in the State Employees Pension Plan (SEPP) by withdrawing their contributions. However, the additional pension service credit stops and the employee has forfeited his/her right to a service pension benefit (and all accompanying benefits such as health care) after the LTD benefit ceases at age 65